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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,308	12/22/2000	Eric G. Jakstadt	MS1-428US	2673
22801	7590	04/06/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			HAMILTON, LALITA M	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/747,308		JAKSTADT ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Lalita M Hamilton		3624	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 December 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9,19-25 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9,19-25 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>04022005</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### **Summary**

On July 7, 2004, an Office Action was sent to the Applicant rejecting claims 1-9 and 19-28, claims 10-18 were withdrawn from consideration. On December 7, 2004, the Applicant responded by amending claims 1, 6-8, 19-20, 22-23, 25, and 27 and canceling claims 10-18, 26, and 28.

### ***Election/Restrictions***

Claims 10-18 have been canceled.

### ***Claim Rejections - 35 USC § 112***

The rejection has been withdrawn.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-9 and 19-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Hilt (6,408,284), as set forth in the previous Office Action.

With regard to the claim amendments, Hilt discloses a Web server (col.10, lines 45-57 and col.18, lines 25-37—encompasses Web server); a second component to provide detailed billing information from a biller to a user of the financial service center on the Web server (col.12, line 48 to col.13, line 23; col.17, lines 28-53; and col.18, lines 10-37); a secure third-party development platform via which authorized third-party content developers can develop content for publications via the EBPP system for posting to users of the EBPP system on one or more servers (col.10, lines 45-57; col.12, line 48 to col.13, line 23; col.17, lines 28-53; and col.18, lines 10-37); and issuing instructions to a requesting user to render a billing statement as a user interface, wherein the billing statement reflects the third-party developed content, while one section of the billing statement is hosted by the one ore more servers, while another section of the billing statement is hosted by a third-party server (col.10, lines 45-57; col.12, line 48 to col.13, line 23; col.17, lines 28-53; and col.18, lines 10-37).

### ***Response to Arguments***

Applicant's arguments filed December 7, 2004 have been fully considered but they are not persuasive. The Applicant argues that Hilt does not disclose an electronic billing statement having a first component and second component each hosted by separate entities. In response, Hilt discloses an electronic billing statement (col.10, lines 45-67) having a first component and second component each hosted by separate

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entities (col.12, lines 48-67 and col.18, lines 10-25—financial service center and third-party to a biller).

The Applicant argues that Hilt does not disclose a financial service center that receives batch bill information along with authentication strings from a biller or each financial service center and the third-party create the billing statement on the Web server. In response, Hilt discloses a financial service center that receives batch bill information along with authentications strings from a biller each financial service center and the third-party create the billing statement on the Web server (col.18, line 10 to col.19, line 55—encompasses Web server).

The Applicant argues that Hilt does not disclose a common network address where consumers can review and pay bills from a number of billers or a third-party service coupled to the financial service center to provide bill summary information to the financial service center. In response, Hilt discloses common network address where consumers can review and pay bills from a number of billers (col.20, line 45 to col.21, line 30—viewed on bank's website, which is a common network address) and a third-party service coupled to the financial service center to provide bill summary information to the financial service center (col.20, line 45 to col.21, line 30).

The Applicant argues that Hilt does not disclose an EBPP system comprising a secure third-party development platform via which authorized third-party content developers can develop content for publication via the EBPP system for posting to users of the EBPP system on the one or more servers. In response, Hilt discloses an EBPP system comprising a secure third-party development platform via which

authorized third-party content developers can develop content for publication via the EBPP system for posting to users of the EBPP system on the one or more servers (col.12, line 48 to col.13, line 23, col.15, lines 10-48; and col.16 line 13 to col.17, line 55--system is such that content developers may develop content that is then sent for posting to users of the EBPP system).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

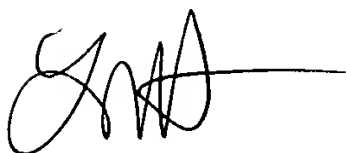
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M Hamilton whose telephone number is (703) 306-5715. The examiner can normally be reached on Tuesday-Thursday (8:30-4:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LMH

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